

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

JACQUELINE WASHINGTON

CASE NO. 5:23-CV-01623-SMH-MLH

VERSUS

JUDGE S. MAURICE HICKS, JR.

BROOKSHIRE GROCERY CO.

MAGISTRATE JUDGE HORNSBY

AMENDED PETITION [COMPLAINT] FOR DAMAGES

The amended petition [complaint] of Jacqueline Washington, through undersigned counsel, with respect represents to this Honorable Court that:

1.

The following persons, made defendants herein, are indebted to the plaintiff for damages, plus legal interest on all amounts herein from date of judicial demand until paid, plus court costs:

- A. Brookshire Grocery Company [Brookshire's], a foreign corporation authorized to do and doing business in Mansfield, DeSoto Parish, Louisiana.
- B. The Travelers Indemnity Company of Connecticut, a foreign insurer doing business in Mansfield, DeSoto Parish, Louisiana.

2.

Defendants are indebted to plaintiff, Jacqueline Washington, because of the following:

3.

On or about December 9, 2022, plaintiff, Jacqueline Washington, was shopping at Brookshire Grocery Company in Mansfield, DeSoto Parish, Louisiana, when she slipped and fell due to hazardous condition(s) being negligently left on Brookshire's floor by Brookshire's.

4.

As a result of the above accident, plaintiff, Jacqueline Washington, had to receive medical treatment, where among other things, plaintiff suffered injury and pain as follows:

A. Head injury and pain, including, but not necessarily limited to:

- i. Headaches.
- ii. Dizziness.
- iii. Nausea.
- iv. Contusion of head.
- v. Concussion.
- vi. Occipital neuralgia.
- vii. December 9, 2022 slip and fall made headaches worse.

B. Neck injury and pain, including but not necessarily limited to:

- i. Neck pain that radiates into bilateral cervical paraspinals, bilateral parascapular regions, bilateral shoulders, bilateral occiput, as well as the supraclavicular regions and left upper extremity.
- ii. Neck pain that radiates into the left scapula and left upper extremity all the way into the left hand, as well as pain in the left supraclavicular region.
- iii. Neck pain that radiates into the left cervical paraspinal, left suprascapular region, left supraclavicular region, left parascapular region, left axilla, left medial upper extremity, and all the way into the left hand.
- iv. Neck pain that radiates into the scapular/supraclavicular.
- v. Neck pain that radiates into the scapular and occiput.
- vi. Neck pain associated with headaches.
- vii. Neck pain that radiates into the upper back.
- viii. April 4, 2023 MRI of the cervical spine showing, among other things, disc bulge osteophyte complexes, as well as an increase in size of the central/left paracentral disc extrusion at C7-T1.
- ix. Bulging discs.

- x. December 9, 2022 slip and fall made neck pain worse.
- C. Right knee injury and pain (with scar on the right knee).

5.

Defendant Brookshire's was negligent and is liable to plaintiff, Jacqueline Washington, for her injuries and damages herein because:

- A. Defendant Brookshire's failed to keep its floor clear of hazardous condition(s) so that plaintiff or other persons would not fall on hazardous condition(s);
- B. Defendant Brookshire's failed to keep its floors in a safe condition;
- C. Defendant Brookshire's failed to make sure its floors and facility were in a safe condition; and
- D. Defendant Brookshire's knew or should have known that hazardous condition(s) was/were on its floor and failed to remove such hazardous condition(s).

6.

As a result of the above injuries, plaintiff, Jacqueline Washington, itemizes her damages as follows:

- A. Physical pain, suffering and injury;
- B. Mental anguish and emotional distress;
- C. Present, past, and future medical expenses;
- D. Loss of enjoyment of life;
- E. Scarring; and
- F. Physical impairment and/or mental impairment in connection with head injury and pain, which affect movement and activity; neck injury and pain, which affect movement and activity; and right knee injury and pain, which affect movement and activity.

7.

At the time of the injuries and damages herein, Brookshire's had a liability insurance policy with its insurer, The Travelers Indemnity Company of Connecticut.

WHEREFORE, PLAINTIFF, JACQUELINE WASHINGTON, PRAYS as follows:

- A. That there be judgment against the defendant, Brookshire Grocery Company, and in favor of the plaintiff, Jacqueline Washington, ordering the defendant to pay unto plaintiff a sum reasonable in damages under premises considered, plus legal interest on all amounts herein from date of judicial demand until paid, plus court costs;
- B. That there be judgment against the defendant, The Travelers Indemnity Company of Connecticut, and in favor of the plaintiff, Jacqueline Washington, ordering the defendant to pay unto plaintiff a sum reasonable in damages under premises considered, plus legal interest on all amounts herein from date of judicial demand until paid, plus court costs; and
- C. For all orders and decrees necessary for general and equitable relief.

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ATTORNEYS FOR Jacqueline Washington

PLEASE SERVE:

THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT

through its registered agent,
Louisiana Secretary of State
8585 Archives Ave.
Baton Rouge, LA 70809

CERTIFICATE

I hereby certify that on March 11, 2024, a copy of the foregoing *Amended Petition [Complaint] for Damages* was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to Mr. James A. Mijalis, counsel for the defendant, Brookshire Grocery Company, by operation of the court's electronic filing system.

A courtesy copy of this filing will be mailed to the Honorable Mark L. Hornsby, United States Magistrate Judge.

S/ Adrienne D. White
ADRIENNE D. WHITE